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HARNES, DICKEY & PIERCE, P.L.C.

Attorneys and Counselors
7700 Bonhomme, Suite 400
Clayton, MO 63105
Phone: 314-726-7500
Fax: 314-726-7501
Troy, MI • Washington, D.C.

DATE: April 29, 2004

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FROM: Anthony G. Fussner

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COMMENTS:

Application No.: 10/606,325
Filing Date: June 25, 2003
Applicant: Carl R. Vanderschuit
Group Art Unit: 2875
Examiner: Unknown
Title: LIGHTED HAT
Attorney Docket: 9053-000094US

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PTO/SB/97 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031

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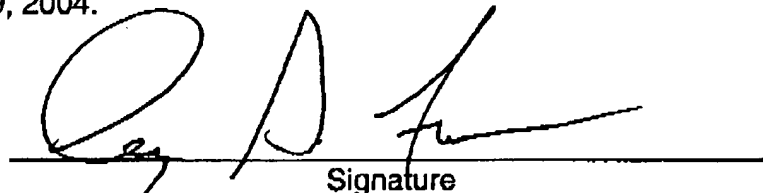
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Re: Application No. 10/606,325

Filing Date: June 25, 2003

Inventor(s): Carl R. Vanderschuit

Group Art Unit 2875

1. Transmittal (1 page)
2. Petition Under CFR 1.10(c) to Correct Filing Date (2 pages)
3. Copy of Utility Patent Application Transmittal (1 page)
4. Copy of Return Receipt Postcard (1 page)
5. Copy of Express Mail mailing label and Sales Receipt (1 page)

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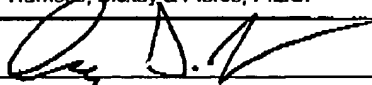
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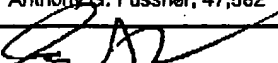
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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/606,325 |
| | Filing Date | June 25, 2003 |
| | First Named Inventor | Carl R. Vanderschuit |
| | Group Art Unit | 2875 |
| | Examiner Name | Unknown |
| Total Number of Pages in This Submission | Attorney Docket Number | 9053-000094US |

| ENCLOSURES (check all that apply) | | |
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| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Preliminary Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Technology center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Utility Patent Application Transmittal, Copy of Return Receipt Post Card, Copy of Express Mail Label and Sales Receipt. |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

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|-------------------------|---|--|--|
| Firm or Individual name | Anthony G. Fussner, 47,582 Hamesa, Dickey & Pierce, P.L.C. | | |
| Signature |  | | |
| Date | April 29, 2004 | | |

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| Typed or printed name | Anthony G. Fussner, 47,582 | | |
| Signature |  | Date | April 29, 2004 |

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| UTILITY PATENT APPLICATION TRANSMITTAL | | Attorney Docket No. 9053-000084US | |
| | | First Inventor Carl R. Vanderschult | |
| | | Title LIGHTED HAT | |
| (Only for new nonprovisional applications under 37 C.F.R. 1.53(b)) | | Express Mail Label No. EV 310277304 US | |

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| APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents. | ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 |
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| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing) 2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 3. <input checked="" type="checkbox"/> Specification (Total Pages 24) (preferred arrangement set forth below) - Descriptive title of the invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the invention - Brief Summary of the invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) (Total Sheets 9) 5. Oath or Declaration (Total Pages 3) a. <input checked="" type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) (for a continuation/divisional with Box 18 completed) c. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies ACCOMPANYING APPLICATIONS PARTS 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 C.F.R. §3.73(b) Statement <input type="checkbox"/> Power of (when there is an assignee) Attorney 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input checked="" type="checkbox"/> Information Disclosure <input checked="" type="checkbox"/> Copies of IDS Statement (IDS)/PTO-1449 Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) 16. <input type="checkbox"/> Request and Non Publication under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input checked="" type="checkbox"/> Other: CHECK |
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18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: _____ / _____

Prior application information: Examiner _____ Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

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| Name | Anthony G. Fussner | | |
| | Harness, Dickey & Pierce, P.L.C. | | |
| Address | 7700 Bonhomme | | |
| | Suite 400 | | |
| City | St. Louis | State | Missouri |
| | | Zip Code | 63105 |
| Country | United States | Telephone | 314 726-7500 |
| | | Fax | 314 726-7501 |

| | | | |
|-------------------|--------------------|-----------------------------------|---------------|
| Name (Print/Type) | Anthony G. Fussner | Registration No. (Attorney/Agent) | 47,582 |
| Signature | | Date | June 25, 2003 |

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/606,325
Filing Date: June 25, 2003
Applicant: Carl R. Vanderschuit
Group Art Unit: 2875
Examiner: Unknown
Title: LIGHTED HAT
Attorney Docket: 9053-000094US

PETITION UNDER 37 CFR 1.10(c) TO CORRECT FILING DATE

Sir:

Applicant hereby petitions the Patent Office to correct the filing date for the above-identified application from June 23, 2003 to **June 25, 2003**. In support thereof, Applicant states as follows:

1. This petition is filed promptly after Applicant's attorney became aware that the U.S. Patent Office has accorded a filing date to the above-identified application other than its Express Mail deposit date with the United States Postal Service.
2. On June 25, 2003, the above-identified application was prepared for filing by Express Mail to the Commissioner for Patents. The number of the Express Mail mailing label used to mail the application, that is, Express Mail Label No. EV310277304US, was placed on the Utility Patent Application Transmittal and Return Receipt Postcard filed with the application prior to their mailing as Express Mail. The Utility Patent Application Transmittal and Return Receipt Postcard are both dated June 25, 2003 and itemize the documents filed with the USPTO, including the application. Copies of the Utility Patent Application Transmittal and Return Receipt Postcard are attached hereto. Additionally, the Express Mail Label No. EV310277304US was stamped on the first page of the copy of the application submitted to the USPTO prior to its mailing by Express Mail.
3. On June 25, 2003, the above-identified application was placed in an

Express Mail envelope bearing Express Mail Label No. EV310277304US. The envelope was deposited in the "Express Mail Post Office to Addressee" service for delivery to the Commissioner for Patents. The application was deposited in Express Mail in St. Louis, Missouri, prior to the last scheduled pickup for that day. Attached hereto is a true copy of the Express Mail mailing label showing the date stamp as June 25, 2003. Also attached is a true copy of the Sales Receipt further showing acceptance of the Express Mail item number EV310277304US by the United States Postal Service on June 25, 2003, for delivery from St. Louis, Missouri to Washington, DC.

Applicant believes there are no fees due in connection with the filing of this Petition. If, however, there is ever a deficiency, please charge any fees to our Deposit Account No. 08-0750.

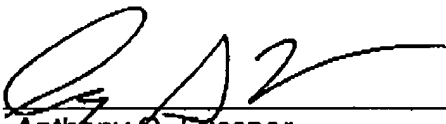
Applicant respectfully requests that the filing date of the application be corrected to June 25, 2003.

Respectfully submitted,

Dated:

4/29/2004

By:


Anthony G. Fussner
Reg. No. 47,582

HARNESS, DICKEY & PIERCE, P.L.C.
7700 Bonhomme, Suite 400
St. Louis, MO 63105
(314) 726-7500 (telephone)
(314) 726-7501 (facsimile)

| | | | |
|-----------------|----------------------|-------------------|----------------|
| Applicant: | Carl R. Vanderschuit | Client Matter # | 9053-000094/US |
| Serial/Patent # | New Application | Filing/Issue Date | |
| Title: | LIGHTED HAT | | |

Please acknowledge receipt of:

UPA Transmittal (1 page)
Fee Transmittal (1 page)
Declaration and Power of Attorney (copy)(3 pages)
Specification (24 pages) 25 claims
Drawings (9 pages)
Information Disclosure Statement (5 pages)
HDP Form 1449 (1 page)
18 References
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